

**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK**

CATHERINE ACOSTA,

Plaintiff,

v.

CKR LAW LLP, a.k.a. CRONE KLINE  
RINDE, and JEFFREY A. RINDE, in his  
individual and corporate capacity, JOHN  
DOES 1-10, and ABC CORP. 1 -10.

Defendant (s).

Index No.: \_\_\_\_\_

Date Purchased: \_\_\_\_\_

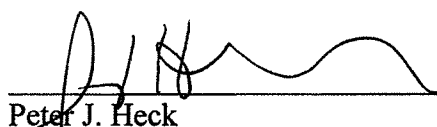
**SUMMONS**Plaintiff designates New York County as the  
place of trial. The basis of the venue is  
Defendant's address located at 1330 Avenue of  
the Americas, New York, New York 10019

To the above named defendant: CKR LAW LLP, a.k.a. CRONE KLINE RINDE

**YOU ARE HEREBY SUMMONED** to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance on the plaintiff's attorney within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded herein.

**NOTICE:** The nature of this action is for hostile work environment, failure to accommodate – disability discrimination.

**THE RELIEF SOUGHT** is to recover uncapped compensatory and punitive damages, loss of reputation and career loss, attorneys' fees, costs, expenses and all interest, and any and all other relief the Court deems just and proper.

**NIEDWESKE BARBER, LLC****DATED:** June 25, 2019  
Peter J. Heck  
Attorneys for Plaintiff  
140 Broadway, 46<sup>th</sup> Floor  
New York, New York 10005  
Phone: (212) 208-1496  
Fax: (212) 858-7750**Defendant's Address:**1330 Avenue of the Americas  
New York, New York 10019

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**SUMMONS**

Plaintiff designates New York County as the  
place of trial. The basis of the venue is  
Defendant's address located at 1330 Avenue of  
the Americas, New York, New York 10019

To the above named defendant: Jeffrey A. Rinde, in his individual and corporate capacity

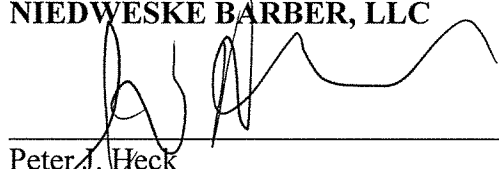
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**NIEDWESKE BARBER, LLC**

**DATED:** June 25, 2019

  
Peter J. Heck

Attorneys for Plaintiff  
140 Broadway, 46<sup>th</sup> Floor  
New York, New York 10005  
Phone: (212) 208-1496  
Fax: (212) 858-7750

**Defendant's Address:**

230 West 56<sup>th</sup> Street, Apt. 54C  
New York, New York 10019-0077

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## VERIFIED COMPLAINT

Plaintiff Catherine Acosta ("Plaintiff Acosta"), by her attorneys, Niedweske Barber LLC, alleges as follows:

**THE PARTIES**

1. Plaintiff Acosta is a New Jersey citizen residing at 5 Woodland Way, Mount Arlington, New Jersey 07856.

2. Upon information and belief, Defendant CKR Law, LLP, a.k.a. Crone Kline Rinde ("Defendant CKR") is a New York corporation with a principal place of business located at 1330 Avenue of the Americas, New York, NY 10019.

3. During all times relevant to this matter, Defendant CKR was Plaintiff Acosta's employer as employer is defined under the New York City Human Rights Law, §8-107, et seq. (the "NYCHRL").

4. Upon information and belief, Defendant Jeffrey A. Rinde ("Defendant Rinde") is a New York citizen residing at 230 W. 56<sup>th</sup> Street, Apt. 54C, New York, NY 10019-0077.

5. During all times relevant to this matter, Defendant Rinde was the Managing Partner in Defendant CKR's New York office and Plaintiff Acosta's immediate supervisor.

**THE NATURE OF THE ACTION**

6. This is a civil action for damages and other remedies brought under the NYCHRL.

**FACTS**

7. Plaintiff Acosta was hired on or about December 12, 2017 as a Marketing Director for Defendant CKR.

8. Throughout her employment with Defendant CKR, Plaintiff Acosta was repeatedly subjected to a sexually hostile work environment. For example,

a. In or about June 2018, Mark Vega, a Defendant CKR attorney, began emailing and calling Plaintiff Acosta after work hours and during all hours of the night to “chat.” Mr. Vega commented on Plaintiff Acosta’s headshot on Defendant CKR’s website and asked her if she had any less professional pictures to share.

b. Following Plaintiff Acosta’s same-sex marriage on or about July 18, 2018, Kristie Blasé, a Defendant CKR attorney, would continuously sit on Plaintiff Acosta’s desk wearing skirts with the intention to discuss Plaintiff Acosta’s homosexual lifestyle. Ms. Blasé would ignore Plaintiff Acosta’s request that she sit on a chair because Plaintiff Acosta was uncomfortable having Ms. Blasé sitting on her desk.

c. In or about July 2018, Leon Yel, a Defendant CKR attorney, asked how Plaintiff Acosta was enjoying married life and stated that he was happy for “you people,” meaning homosexuals. In or about the first week of August 2018, Mr. Yel, while speaking too closely to Plaintiff Acosta, asked if she was done with men forever or if he could do anything to change her mind. When she ignored his question, he became irate and began cursing and speaking disrespectfully to Plaintiff Acosta.

d. In or about mid-August 2018, Joshua Solway, a Defendant CKR attorney,

asked Plaintiff Acosta in an open conference room about her lifestyle and advised that he ordained weddings but not of “that nature,” meaning same-sex marriages.

e. In or about the end of August 2018, Plaintiff Acosta met with Alexandra Kramer, a Defendant CKR attorney, to discuss a work event project. Ms. Kramer showed Plaintiff Acosta an advertisement on Facebook for an LGBT club party event, but advised that Defendant CKR was not the place for that kind of behavior.

9. In each instance, Plaintiff Acosta complained to Defendant Rinde about the sexually hostile workplace who dismissed her complaints outright without an investigation.

10. In or about October 2018, Plaintiff Acosta, who suffers from anxiety, advised Defendant Rinde that the sexually hostile work environment, along with the daily commute from New Jersey to New York, were exacerbating her disabling medical condition.

11. Plaintiff Acosta provided documentation from her medical provider requesting the reasonable accommodation that she be permitted to work from home.

12. Defendant Rinde authorized Plaintiff Acosta’s requested accommodation and further stated that she would probably be more productive in light of no commuting time and no interruptions.

13. Plaintiff Acosta provided Defendant CKR with weekly updates, including the fact that she was working twelve-hour days several days per week in order to meet all deadlines.

14. In or about October 2018, Plaintiff Acosta notified her assistant Proshat Zarrabikia (“Zarrabikia”) that security cameras had caught Defendant Rinde and Zarrabikia kissing in an office elevator.

15. Thereafter, Defendant Rinde began treating Plaintiff Acosta in a hostile manner.

16. He ignored Plaintiff Acosta’s emails and refused to provide requested approvals,

which delayed her deadlines and projects.

17. On or about November 30, 2018, Plaintiff Acosta traveled to New York City for a meeting with Defendant Rinde who told Plaintiff Acosta that she would need to work more hours in the office.

18. Defendant Rinde never mentioned that Plaintiff Acosta working from home had become an undue hardship for Defendant CKR or that her work was suffering by not being in the office.

19. Plaintiff Acosta reluctantly agreed to increase her time in the office based on Defendant Rinde agreeing to provide her with an office sufficiently removed from the attorneys who had previously created the hostile working environment.

20. The following day, December 1, 2018, when Plaintiff Acosta appeared in the office, she learned that Kally Savva ("Sava"), Defendant CKR's Human Resources Manager, was openly discussing Plaintiff Acosta's disabling medical condition.

21. Plaintiff Acosta immediately contacted Defendant Rinde to complain that her privacy rights had been violated by Savva.

22. Plaintiff Acosta told Defendant Rinde that she could not work in the office, even on a part-time basis, knowing that her medical condition had been discussed throughout the office and the prospect of the sexually hostile working environment having never been remediated.

23. Defendant Rinde never responded to Plaintiff Acosta's complaint and, upon information and belief, never investigated the breach of her privacy rights.

24. In or about December 2018, Plaintiff Acosta did not receive her scheduled performance review or the bonus that was distributed to everyone but Plaintiff Acosta.

25. In an email, dated January 2, 2019, to Defendant Rinde, Plaintiff Acosta outlined all

of her positive accomplishments during her year-long tenure with Defendant CKR, which was acknowledged throughout the year by her Defendant CKR colleagues.

26. Plaintiff Acosta's employment was terminated on January 18, 2019, allegedly due to her inability to work in the New York City office.

27. Following Plaintiff Acosta's termination, Defendants named Zarribikia to Plaintiff Acosta's position as Director of Marketing and, shortly thereafter, permitted her to work from home.

**COUNT ONE**  
**(NYCHRL – Hostile Work Environment)**

28. Plaintiff Acosta repeats and realleges the previous paragraphs as though set forth at length herein.

29. Plaintiff Acosta was subjected to comments of a sexual nature from Defendant CKR employees because of her sexual orientation.

30. The sexual comments were severe and pervasive enough to make a reasonable woman believe the working conditions were altered and that the working environment was intimidating and harassing.

31. Plaintiff Acosta complained to her immediate supervisor and Defendant CKR Managing Partner Defendant Rinde, who never investigated, much less remediated, the hostile work environment.

32. Defendants intentionally and negligently failed to implement and enforce anti-harassment and discrimination policies and procedures.

33. Defendants failed to properly train upper managers on its anti-harassment and complaint procedures, as well as its policies of confidentiality.

34. As a result of Defendants' actions and inactions, they are liable for all damages

resulting from the hostile work environment.

35. As a direct and proximate result of Defendants' actions and inactions, Plaintiff Acosta has suffered and continues to experience pain and suffering, emotional distress, loss of enjoyment of life, economic damages, physical injury, and exacerbation of pre-existing physical injury.

36. As a direct and proximate result of Defendants' actions and inactions, Plaintiff Acosta has and continues to suffer loss of income, loss of benefits, and other financial losses.

**COUNT TWO**  
**(NYCHRL – Hostile Work Environment –**  
**Individual Liability of Defendant Rinde)**

37. Plaintiff Acosta repeats and realleges the previous paragraphs as though set forth at length herein.

38. The comments of a sexual nature by Defendant CKR's employees occurred because of Plaintiff Acosta's sexual orientation.

39. The sexual comments were severe and pervasive enough to make a reasonable woman believe the working conditions were altered and that the working environment was intimidating and harassing.

40. Plaintiff Acosta complained to her immediate supervisor and Defendant CKR Managing Partner Defendant Rinde, who failed to investigate, much less remediate, her complaints of a hostile work environment.

41. As Defendant CKR's Managing Partner and Plaintiff Acosta's immediate supervisor, Defendant Rinde intentionally and negligently failed to implement and enforce anti-harassment and discrimination policies and procedures.



42. As a result of Defendant Rinde's actions and inactions, he is liable in his corporate capacity and individually for all damages resulting from the hostile work environment.

43. As a direct and proximate result of Defendant Rinde's actions and inactions, Plaintiff Acosta has suffered and continues to experience pain and suffering, emotional distress, loss of enjoyment of life, economic damages, physical injury, and exacerbation of pre-existing physical injury.

44. As a direct and proximate result of Defendant Rinde's actions and inactions, Plaintiff Acosta has and continues to suffer loss of income, loss of benefits, and other financial losses.

**COUNT THREE**  
**(NYCHRL – Failure to Accommodate – Disability Discrimination)**

45. Plaintiff Acosta repeats and realleges the previous paragraphs as though set forth at length herein.

46. Plaintiff Acosta notified Defendants that she suffered from disabling anxiety and requested the reasonable accommodation to work from home in order to avoid the hostile work environment and the daily commute, all of which exacerbated her disabling medical condition.

47. Defendants then withdrew the reasonable accommodation requiring that Plaintiff Acosta commute to the New York City office from her home in New Jersey.

48. Defendants provided Plaintiff Acosta with no explanation as to why the reasonable accommodations were being withdrawn, including no reference to an undue hardship for Defendants or Plaintiff Acosta's work suffering while she worked from home.

49. After Plaintiff Acosta learned that her privacy rights were violated when Saava spoke openly about her disabling medical condition, Plaintiff Acosta renewed her request to work from home.

50. Plaintiff Acosta's employment was terminated due to Defendants rejecting her renewed request for the reasonable accommodation of working from home.

51. Yet, shortly thereafter, Defendants assigned the position of Marketing Director to Zarribikia, who was then permitted to work from home.

52. As a direct and proximate result of Defendant CKR's actions and inactions, Plaintiff Acosta has suffered and continues to experience pain and suffering, emotional distress, loss of enjoyment of life, economic damages, physical injury, and exacerbation of pre-existing physical injury.

53. As a direct and proximate result of Defendant CKR's actions and inactions, Plaintiff Acosta has and continues to suffer loss of income, loss of benefits, and other financial losses.

**WHEREFORE**, Plaintiff Acosta demands judgment, jointly and severally, against Defendants CKR and Rinde:

- a. Uncapped compensatory damages, including back pay and front pay;
- b. Personal physical injury and exacerbation thereof;
- c. Uncapped punitive damages;
- d. Loss of reputation and career loss;
- e. Negative tax consequences of any verdict or judgment;
- f. Interest;
- g. All attorneys' fees, costs of suit and expenses; and
- h. Any other relief the Court deems just and fit.

Dated: New York, New York

June 24, 2019

**NIEDWESKE BARBER LLC**

By: 

Peter J. Heck

Attorneys for Plaintiff

420 Lexington Avenue, Suite 300

New York, NY 10170

Phone: (212) 297-6136

Fax: (212) 986-1952

[www.n-blaw.com](http://www.n-blaw.com)

**ATTORNEY VERIFICATION**

STATE OF NEW YORK )

) ss.:

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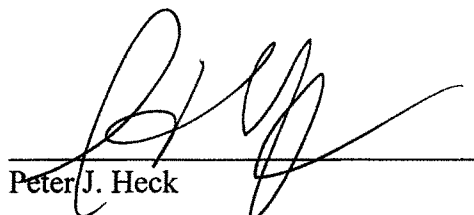
PETER J. HECK, being duly sworn says:

That I am one of the attorneys for the plaintiff in the within action; that I have read the foregoing SUMMONS AND VERIFIED COMPLAINT and know the contents thereof; that I affirm the same is true to my own knowledge, except as to the matters therein stated to be alleged on information and belief, and that as to those matters I believe it to be true.

The reason this Verification is made by deponent and not by the plaintiff is that said plaintiff is not within the County in which deponent has his office, and the facts set forth herein are upon information and belief derived from the records and papers in deponent's office.

Dated: New York, New York

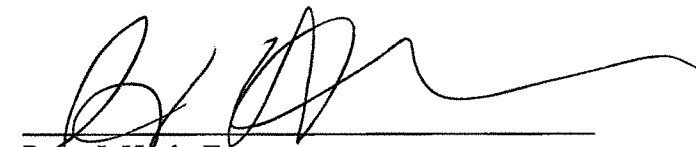
June 24, 2019

  
Peter J. Heck

**STATEMENT PURSUANT TO 22 N.Y.C.R.R. §130.1-1(a):**

The following documents, appended hereto, and listed below, are, to the best of the signer's knowledge, information, and belief, after inquiry, certified as not frivolous. If this particular document is not the original, an original has been executed to comply with the requirements.

\_\_\_ Answer/Reply  
\_\_\_ Demand for Bill of Particulars  
\_\_\_ Notice for Discovery and Inspection of Collateral Sources  
\_\_\_ Demand for Copies of Plaintiffs' Medical Reports and Authorizations  
\_\_\_ Notice to Produce  
\_\_\_ Notice Pursuant to CPLR §2103(e)  
\_\_\_ Notice for Discovery of Statement of Party  
\_\_\_ Notice to Take Deposition Upon Oral Examination  
\_\_\_ Notice for Discovery and Inspection of Loss of Income Data  
\_\_\_ Notice for Discovery and Inspection of Expert Witness Information  
\_\_\_ Demand for Change of Venue  
\_\_\_ Affidavit of Good Faith  
\_\_\_ Notice of Motion  
\_\_\_ Affirmation  
X Summons and Verified Complaint  
\_\_\_ Third-Party Summons and Complaint  
\_\_\_ Statement under CPLR §3402(b)  
\_\_\_ Notice for Trial/Inquest/Note of Issue  
\_\_\_ Request for Judicial Intervention  
\_\_\_ Notice to Admit  
\_\_\_ Ninety Day Notice  
\_\_\_ Notice of Default  
\_\_\_ Demand for Jury  
\_\_\_ Demand for Index Number  
\_\_\_ Response to Preliminary Conference Order  
\_\_\_ Demand for Trial De Novo  
\_\_\_ Other

  
\_\_\_\_\_  
Peter J. Heck, Esq.  
NIEDWESKE BARBER LLC  
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Fax: (212) 986-1952  
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Attorneys for Plaintiff Catherine Acosta